CITY DETECTIVES' THEORY OF PHAGAN MURDER OUTLINED

The Journal Presents First Complete Statement of Case

Solicitor and His Investiga-

tors Seek to Build

HOW DETECTIVES THINK

CRIME WAS COMMITTED

They Maintain That Mary Pha-

gan Was Left Unconscious

in Factory Near Midday and

Killed Later in Afternoon

For the first time since the lifeless body of pretty fourteen-year-old Mary Phagan was found in the basement of the National Pencil factory, this morning two weeks ago, The Journal is enabled to make public the theory of the city detectives and others investigating the murder mystery as to how the crime was committed.

HERE IS THE THEORY.

The theory in detail is:

That Mary Phagan arrived at the pencil factory between 12 and 12:10 o'clock on Saturday, April 26; that within a short time after she arrived there she was lured to the metal room on the second floor, where she worked; that the big doors of this room were closed, making it almost impossible for the two men working on the fourth floor to hear any outcries; that she was overpowered and assaulted.

That the assailant, realizing that he had committed a crime which would cost him his life if it became known, argued with her and entreated her to keep silent; that when she reiterated her intention to tell he struck her a terrific blow in the left eye, causing her to fall against the handle of the lathe; that the back of her head struck the lathe handle, rendering her unconscious and producing a wound from which the blood flowed freely; that the assailant then secured a cord and looped around her neck, after

which he dragged her into one of the small dressing rooms nearby, placing papers or some old garment beneath her head to catch the flow of blood; that the door to the dressing room was closed, and the assailant went away, believing that the girl was dead or dying.

RETURNED LATER IN AFTERNOON.

That later in the afternoon, when there was no one in the factory, he returned and either carried or dragged the body to the elevator, which he ran to the basement; that the peculiar motion of the elevator or the slackening of the loop-knot in the cord about the girl's neck resulted in her partially regaining consciousness; that when the assailant observed this he tightened the cord around her neck and dragged her by it over into the rear end of the semi-darkened basement; that he then tore the wide hem from the child's underskirt and knotted it about her neck to make doubly sure that she would be effectively strangled; that he then pulled the staple from the fastening in the rear door, either with the intention of later removing the body from the premises to the alley in the rear of the factory, or for the purpose of making it appear that the murderer entered and left the building by this door.

The detectives have evidence to the effect that Mary Phagan went to the factory a few minutes after 12 o'clock; they hold to the opinion that she could have been attacked and left unconscious within a period of twenty minutes.

CORD FOUND IN ROOM.

Cord of the kind found around the girl's neck, in the same lengths and tied with the same loop knots, is found, it is said, in large quantities in the metal room where they insist the crime was committed. Blood was found on the floor of this room and human hair was found on the lathe handle. Blood was also found on the elevator door.

By actual test they have demonstrated, it is claimed, that it would have been almost impossible for the girl's screams to have

been heard by the two men working on the fourth floor. This demonstration was made, it declared, when the factory was silent and a lusty-lunged man shouted at the top of his voice. He could barely be heard on the fourth floor, it is said, although persons there were listening intently for his cries.

It is the theory of the detectives that with papers or old clothing wrap-

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COLONEL PEEL PROTESTS

A TARIFF NOT EXISTING

ped around the girl's head no blood would have been found on the floor of the dressing room. The girl's left eye was badly bruised, indicating the detectives think, that she had been struck a fist blow and there were one or two bruises on her chest which could have been produced in the same manner.

CRIES HEARD AT 4:30.

Only ten or fifteen minutes would have been required, say the detectives, for the murderer to have taken the girl down the elevator to the basement. They have, it is said, a witness, a woman, who swears she was passing the pencil factory about

4:30 o'clock on Saturday afternoon, April 26, and that she heard a woman's piteous cries.

According to this witness, these cries seemed to come from the basement and were cut short, as if they were muffled in some way. The witness says, it is claimed, she did not report the matter at the time because she thought it must have been a negro man in a fuss with his wife and she didn't care to become involved as a witness in such a case.

It is the testimony of this woman which leads the detectives to the theory that the girl was not taken to the basement until in the afternoon and that she regained consciousness while she was being taken from the elevator.

They explain their theory that the hem of the girl's underskirt was tied about her neck after she was taken to the basement by calling attention to the fact that there was no cord or other strings down there and that the murderer, fearing that the cord about her neck would not be sufficient to strangle her, sought for a second noose and finding nothing handy tore the hem from her underskirt. This theory is also strengthened, the detectives think, by the testimony of Dr. J. W. Hurt, the county physician who performed the autopsy on the girl's body. He declares that she came to her death from strangulation; that the blow on the head was sufficient to render her unconscious, but not to kill her.

MESH BAG MISSING.

The detectives hold firm to the theory that Mary Phagan never left the pencil factory after she went there for her money—$1.20—but they are puzzled to know what became of this money and also the silver mesh bag which she carried with her and which contained sixty cents when she left home to go direct to the factory. As far as is known all the other effects of the girl, including her parasol, were found in the basement. The silver mesh bag is missing, and the detectives have never been able to find the envelope in which the girl is said to have received her money.

The parasol was found at the foot of the elevator shaft, which leads them to the theory that when the girl was carried down to the basement the parasol was left on the second floor where she was attacked, and that the murderer, finding the parasol there when he returned, threw it into the elevator shaft.

The above is a complete statement of the theory upon which the detectives, the solicitor general and other investigators for the state are working.

Grand Jury to Consider Phagan Case This Week

Interest in the investigation of the mysterious murder two weeks ago of little Mary Phagan centered Saturday in the grand jury.

Two men, Leo M. Frank, superintendent of the pencil factory, where the tragedy occurred, and Newt Lee, negro night watchman, have been ordered held by a coroner's jury, but no intimation has been given as to the time when bills against the two men will be presented to that body.

The jury is not due to hold a session until next Friday, but the solicitor general or the foreman can call the body together on a few hours' notice.

While the solicitor will make no definite statement, it is apparent that he will not present the case to the grand jury until the latter part of this week, Thursday or Friday. However, the grand jury has been especially charged to probe the murder and it is in the power of its members to order the witnesses in the case before it at any time.

EARLIEST TRIAL MAY 19.

Owing to the unusual public interest in the cases it is possible that if the grand jury secures a true bill the trial might be set for the week of May 19, when the criminal division of the superior court, Judge L. S. Roan, presiding, next convenes.

Thomas B. Felder, the well known attorney, who has been retained by citizens in the Bellwood district, where the slain girl lived, returned Saturday morning from a week's trip to New York and Washington. Mr. Felder made the trip to attend to professional business said to be in connection with the Phagan case.

Mr. Felder denied that he had employed William J. Burns, the famous detective, to come to Atlanta in person in an effort to solve the mystery.

Mr. Burns, who has before worked on cases for Mr. Felder, is now in Europe, according to the latter.

It has been rumored that Mr. Felder is determined to utilize the fee which will be paid him by the Bellwood citizens for assisting in the prosecution of the case, to employ a private detective, and that Mr. Felder will lend his time and energy to the case without compensation.

Mr. Felder declined to discuss this rumor, and would not say whether or not he had employed any eastern detectives to help the Atlanta officers ferret out the mystery.

SOLICITOR SEES WITNESSES.

The activity in the Phagan investigation was transferred Saturday from police headquarters to the office of Solicitor General Dorsey, who was in conference with witnesses and detectives working on the case during the greater part of the day. Among his visitors was Dr. H. F. Harris, of the state board of health, who twice exhumed the body of Mary Phagan.

Later the solicitor is said to have conferred with Dr. J. W. Hurt, the county physician, whose evidence has never been made public.

All of the witnesses seen by The Journal Saturday declare that they are under instructions not to discuss the case, and the utmost secrecy shrouds the work of the solicitor's force and the city detectives.